

FILED COPY

1 Laurence M. Rosen, Esq. (SBN 219683)
2 THE ROSEN LAW FIRM, P.A.
3 355 South Grand Avenue, Suite 2450
4 Los Angeles, CA 90071
5 Telephone: (213) 785-2610
Facsimile: (213) 226-4684
Email: lrosen@rosenlegal.com

2014 APR 18 PM 3:33

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES

BY:

6 Counsel for Plaintiff

7
8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10 RANDY ROMERO, INDIVIDUALLY
11 AND ON BEHALF OF ALL OTHERS
12 SIMILARLY SITUATED,

13 Plaintiff,

14 v.

15 GROWLIFE, INC., STERLING C.
SCOTT, JOHN GENESI, MARCO
HEGYI, ROB HUNT, ERIC SHEVIN,
ALAN HAMMER, ANTHONY
CIABATTONI, AND JEFF
GIARRAPUTO,

16 Defendants.

17 CASE No.: 14-03015-MRP(JEMx)

18 CLASS ACTION

19 COMPLAINT FOR VIOLATION
OF THE FEDERAL SECURITIES
LAWS

20 JURY TRIAL DEMANDED

21 Plaintiff Randy Romero, individually and on behalf of all other persons
22 similarly situated, by his undersigned attorneys, for his complaint against the
23 defendants, alleges the following based upon personal knowledge as to himself and
24 his own acts, and information and belief as to all other matters, based upon, *inter*

alia, the investigation conducted by and through his attorneys, which included, among other things, a review of the defendants' public documents, conference calls and announcements made by the defendants, United States Securities and Exchange Commission ("SEC") filings, wire and press releases published by and regarding GrowLife, Inc. ("GrowLife" or the "Company"), securities analysts' reports and advisories about the Company, and information readily obtainable on the Internet. Plaintiff believes that substantial evidentiary support will exist for the allegations set forth herein after a reasonable opportunity for discovery.

NATURE OF THE ACTION

1. This is a federal securities class action on behalf of a class consisting of all persons and entities other than the defendants, who purchased the common stock of GrowLife between November 14, 2013 and April 9, 2014, inclusive (the “Class Period”), seeking to recover damages caused by the defendants’ violations of federal securities laws (the “Class”).

JURISDICTION AND VENUE

2. The claims asserted herein arise under and pursuant to Sections 10(b) and 20(a) of the Exchange Act (15 U.S.C. § 78j(b) and 78t(a)) and Rule 10b-5 promulgated thereunder (17 C.F.R. § 240.10b-5).

3. This Court has jurisdiction over the subject matter of this action pursuant to Section 27 of the Exchange Act (15 U.S.C. § 78aa) and 28 U.S.C. § 1331.

4. Venue is proper in this Judicial District pursuant to Section 27 of the Exchange Act (15 U.S.C. § 78aa) and 28 U.S.C. § 1391(b) as a substantial part of the conduct complained of herein occurred in this District.

5. In connection with the acts, conduct and other wrongs alleged herein, the defendants either directly or indirectly used the means and instrumentalities of interstate commerce, including but not limited to the United States mails, interstate telephone communications and the facilities of the national securities exchange.

PARTIES

6. Plaintiff Randy Romero purchased GrowLife common stock during the Class Period as set forth in his certification, filed herewith, and has suffered damages as a result.

7. GrowLife is a Delaware corporation headquartered in Woodland Hills, California. It designs and manufactures indoor gardening products, such as grow room equipment, LED grow light products for indoor horticulture, mini-greenhouses, and other related products, primarily for the growing of medical marijuana. During the Class Period, GrowLife's common stock was actively traded on OTCQB, under the ticker "PHOT."

8. Defendant Sterling C. Scott (“Scott”) has been the Company’s Chief Executive Officer, President, Secretary and a member of its Board of Directors (“Board”) since April 2012.

1 9. Defendant John Genesi (“Genesi”) has been the Company’s Chief
2 Financial Officer since July 2013.
3

4 10. Defendant Marco Hegyi (“Hegyi”) has been the Company’s President
5 and a member of its Board since December 2013.
6

7 11. Defendant Rob Hunt (“Hunt”) has been the Company’s Executive
8 Vice Presidents and a member of its board since June 2013.
9

10 12. Defendant Eric Shevin (“Shevin”) was a member of the Company’s
11 Board from April 2013 until his sudden resignation in April 2014.
12

13 13. Defendant Alan Hammer (“Hammer”) has been a member of the
14 Company’s Board since December 2013.
15

16 14. Defendant Anthony Ciabattoni (“Ciabattoni”) has been a member of
17 the Company’s Board since December 2013.
18

19 15. Defendant Jeff Giarraputo (“Giarraputo”) has been a member of the
20 Company’s Board since December 2013.
21

22 16. Defendants Scott, Genesi, Hegyi, Hunt, Shevin, Hammer, Ciabattoni,
23 and Giarraputo are collectively referred to hereinafter as the “Individual
24 Defendants.”
25

26 17. Each of the Individual Defendants:
27

28 (a) directly participated in the management of the Company;
29 (b) was directly involved in the day-to-day operations of the
30 Company at the highest levels;

(c) was privy to confidential proprietary information concerning the Company and its business and operations;

(d) was involved in drafting, producing, reviewing and/or disseminating the false and misleading statements and information alleged herein;

(e) was aware of or recklessly disregarded the fact that the false and misleading statements were being issued concerning the Company; and

(f) approved or ratified these statements in violation of the federal securities laws

18. As officers, directors and controlling persons of a publicly-held company whose common stock is and was registered with the SEC pursuant to the Exchange Act, and was traded on the OTCQB and governed by the provisions of the federal securities laws, the Individual Defendants each had a duty to disseminate accurate and truthful information promptly with respect to the Company's financial condition and to correct any previously-issued statements that had become materially misleading or untrue to allow the market price of the Company's publicly traded stock to reflect truthful and accurate information.

19. GrowLife is liable for the acts of the Individual Defendants and its employees under the doctrine of *respondeat superior* and common law principles of agency as all of the wrongful acts complained of herein were carried out within the scope of their employment with authorization.

20. The scienter of the Individual Defendants and other employees and agents of the Company is similarly imputed to GrowLife under respondeat superior and agency principles.

ALLEGATIONS OF FALSE STATEMENTS

21. The Class Period begins on November 14, 2013, when GrowLife filed a Form 10-Q for the quarterly period ended September 30, 2013 (“2013 3Q 10-Q”) with the SEC.

22. With regards to the issuance of its common stock for services rendered, the Company stated in its 2013 3Q 10-Q, in relevant parts:

During the nine month period ended September 30, 2013, the Company issued 32,822,333 shares of its common stock for services rendered and wages to its employees. These shares were valued at \$1,173,747 and are detailed as follows:

Shares for Services		
Wages paid to Company employees	\$	238,208
Consulting		566,333
Cannabis.org expenses		29,334
GrowLife Productions expenses		65,000
Public/Investor relations		221,700
Product/inventory acquired		18,172
Board Member compensation		35,000
	\$	1,173,747

[Emphasis added.]

23. However, with regards to Board Member compensation in particular, the Company disclosed a different amount elsewhere in its 2013 3Q 10-Q, stating in relevant parts:

1 During the nine-month period ended September 30, 2013, the
2 Company recorded **\$45,000** in compensation to members of its Board
3 of Directors, all of which was non-cash and paid via the issuance of
shares of the Company's common stock.

4 [Emphasis added.]
5

6 24. The Company further explained in its 2013 3Q 10-Q that it issued 1.0
7 million shares of its common stock to its Board Members as compensation and
8 expensed the issuance at \$0.2 per share, stating in relevant parts:
9

10 On September 30, 2013, the Company issued 1,000,000 shares of its
11 common stock to its two (2) independent members of the Company's
12 Board of Directors. These shares were issued on a non-cash basis and
13 were compensation for services rendered during the April – June 2013
period. ***These shares were valued at \$20,000 in the aggregate and
\$0.02 per share.***

14 [Emphasis added.]
15

16 25. The 2013 3Q 10-Q was signed by Defendants Scott and Genesi.
17 Accompanying the 2013 3Q 10-Q were separately executed Sarbanes-Oxley Act of
18 2002 ("SOX") certifications of Defendants Scott and Genesi falsely attesting to the
19 accuracy of the 2013 3Q 10-Q.
20

21 26. On March 31, 2014, GrowLife filed a Form 10-K for the fiscal year
22 ended December 31, 2013 ("2013 10-K") with the SEC.
23

24 27. With regards to the issuance of its common stock for services, the
25 Company stated in its 2013 10-K, in relevant parts:
26

27 During the twelve month period ended December 31, 2013, the
28 Company issued 44,150,110 shares of its common stock for services

1 rendered and wages to its employees. These shares were valued at
 2 \$1,428,636 and are detailed as follows:

Shares for Services	
Wages paid to Company employees	\$ 369,875
Consulting	551,333
Cannabis.org expenses	29,334
GrowLife Productions expenses	65,000
Public/Investor relations	321,700
Product/inventory acquired	18,172
Board Member compensation	73,222
	<hr/>
	\$ 1,428,636

9 [Emphasis added.]

10
 11 28. The Company explained in its 2013 10-K that it issued 10.5 million
 12 shares of its common stock to its officers as compensation and expensed the
 13 issuance at \$0.1 per share, stating in relevant parts:
 14

15 ***In March 2013, the Company issued 2,500,000 shares of its common***
 16 ***stock to Sterling Scott, the Company's Chief Executive Officer, as***
 17 ***consideration for services provided to the Company. These shares***
 18 ***represent an installment due to Mr. Scott in relation to a Board grant***
from August 2012. The shares were valued at \$25,000 in the
aggregate.

19
 20 ***In March 2013, the Company issued 2,000,000 shares of its common***
 21 ***stock to Justin Manns, the Company's former Chief Financial***
 22 ***Officer, a former member of the Company's Board of Directors, and***
 23 ***the current Controller of GrowLife Hydroponics, Inc. The shares were***
 24 ***issued as consideration for services provided to the Company. These***
shares represent an installment due to Mr. Manns in relation to a
Board grant from August 2012. The shares were valued at \$20,000 in
the aggregate.

25
 26 ***In November 2013, the Company issued 3,333,333 shares of its***
 27 ***common stock to Sterling Scott, the Company's Chief Executive***
 28 ***Officer, as consideration for services provided to the Company. These***
shares represent the final installment due to Mr. Scott in relation to a

1 Board grant from August 2012. ***The shares were valued at \$33,333 in***
 2 ***the aggregate.***

3 ***In November 2013, the Company issued 2,666,667 shares of its***
 4 ***common stock to Justin Manns***, the Company's former Chief
 5 Financial Officer, a former member of the Company's Board of
 6 Directors, and the current Controller of GrowLife Hydroponics, Inc.
 7 The shares were issued as consideration for services provided to the
 8 Company. These shares represent the final installment due to Mr.
 9 Manns in relation to a Board grant from August 2012. ***The shares***
 10 ***were valued at \$26,667 in the aggregate.***

11 [Emphasis added.]

12 29. The Company explained in its 2013 10-K that it issued approximately
 13 3.9 million shares of its common stock to its Board Members as compensation and
 14 expensed the issuance at \$0.2 per share, stating in relevant parts:

15 ***During the twelve months ended December 31, 2013, the Company***
 16 ***issued 1,500,000 shares of its common stock to Eric Shevin***, an
 17 independent member of the Company's Board of Directors, as
 18 consideration for his service as a Board member from April 1, 2013
 19 through December 31, 2013. ***The shares were valued at \$30,000 in***
 20 ***the aggregate.***

21 ***During the twelve months ended December 31, 2013, the Company***
 22 ***issued 1,683,333 shares of its common stock to Bob Kurliko***, a
 23 former independent member of the Company's Board of Directors, as
 24 consideration for his service as a Board member from January 1, 2013
 25 through November 2, 2013. ***The shares were valued at \$33,667 in the***
 26 ***aggregate.***

27 ***During the twelve months ended December 31, 2013, the Company***
 28 ***issued 500,000 shares of its common stock to Craig Ellins***, a former
 29 independent member of the Company's Board of Directors, as
 30 consideration for his service as a Board member from January 1, 2013
 31 through March 31, 2013. ***The shares were valued at \$10,000 in the***
 32 ***aggregate.***

1 ***On December 31, 2013, the Company issued 83,333 shares of its***
 2 ***common stock to Alan Hammer***, an independent member of the
 3 Company's Board of Directors, as consideration for his service as a
 4 Board member from December 17, 2013 through December 31, 2013.
 5 ***The shares were valued at \$1,667 in the aggregate.***

6 ***On December 31, 2013, the Company issued 72,222 shares of its***
 7 ***common stock to Anthony Ciabattoni***, an independent member of the
 8 Company's Board of Directors, as consideration for his service as a
 9 Board member from December 19, 2013 through December 31, 2013.
 10 ***The shares were valued at \$1,444 in the aggregate.*** Mr. Ciabattoni's
 11 shares have been issued to the Ciabattoni Living Trust, of which Mr.
 12 Ciabattoni is the Trustee.

13 ***On December 31, 2013, the Company issued 72,222 shares of its***
 14 ***common stock to Jeff Giarraputo***, an independent member of the
 15 Company's Board of Directors, as consideration for his service as a
 16 Board member from December 19, 2013 through December 31, 2013.
 17 ***The shares were valued at \$1,444 in the aggregate.***

18 Commencing in August 2012, outside board members were awarded
 19 2,000,000 shares per year which vest quarterly.

20 [Emphasis added.]

21 30. The Company also disclosed under the *Subsequent Events* section in
 22 its 2013 10-K that it issued 2.0 million shares of its common stock to its Board
 23 Members for services rendered during the first quarter of 2014 and expensed the
 24 issuance at \$0.2 per share, stating in relevant parts:

25 ***On March 31, 2014, the Company issued 500,000 shares, 2,000,000***
 26 ***shares in the aggregate, to each of its four (4) independent Board***
 27 ***members as compensation for their Board service for the January 1,***
 28 ***2014 through March 31, 2014 period. The shares were valued at***
 \$0.02 per share and \$40,000 in the aggregate and were issued in
 accordance with an August 2012 Board grant. The four independent
 Board members are Eric Shevin, Alan Hammer, Tony Ciabattoni, and
 Jeff Giarraputo.

1
2 [Emphasis added.]
3
4

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

31. The 2013 10-K was signed by Defendants Scott, Genesi, Hegyi, Hunt, Shevin, Hammer, Giarraputo, and Ciabattoni. Accompanying the 2013 10-K were separately executed SOX certifications of Defendants Scott and Genesi falsely attesting to the accuracy of the 2013 10-K.

THE TRUTH EMERGES

32. On April 9, 2014, the Company filed a Form 8-K with the SEC announcing the abrupt resignation of Defendant Shevin as a Board Member, which was effective as of April 1, 2014.

33. Following the announcement of Defendant Shevin's resignation, the truth of GrowLife's materially inaccurate SEC filings began to reveal in a piecemeal fashion.

34. On April 10, 2014, only a day after the announcement of Defendant Shevin's resignation, the SEC announced the temporary trading suspension of the Company's stock. The announcement states in relevant parts:

35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
5510
5511
5512
5513
5514
5515
5516
5517
5518
5519
5520
5521
5522
5523
5524
5525
5526
5527
5528
5529
5530
5531
5532
5533
5534
5535
5536
5537
5538
5539
55310
55311
55312
55313
55314
55315
55316
55317
55318
55319
55320
55321
55322
55323
55324
55325
55326
55327
55328
55329
55330
55331
55332
55333
55334
55335
55336
55337
55338
55339
55340
55341
55342
55343
55344
55345
55346
55347
55348
55349
55350
55351
55352
55353
55354
55355
55356
55357
55358
55359
55360
55361
55362
55363
55364
55365
55366
55367
55368
55369
55370
55371
55372
55373
55374
55375
55376
55377
55378
55379
55380
55381
55382
55383
55384
55385
55386
55387
55388
55389
55390
55391
55392
55393
55394
55395
55396
55397
55398
55399
553100
553101
553102
553103
553104
553105
553106
553107
553108
553109
553110
553111
553112
553113
553114
553115
553116
553117
553118
553119
553120
553121
553122
553123
553124
553125
553126
553127
553128
553129
553130
553131
553132
553133
553134
553135
553136
553137
553138
553139
553140
553141
553142
553143
553144
553145
553146
553147
553148
553149
553150
553151
553152
553153
553154
553155
553156
553157
553158
553159
553160
553161
553162
553163
553164
553165
553166
553167
553168
553169
553170
553171
553172
553173
553174
553175
553176
553177
553178
553179
553180
553181
553182
553183
553184
553185
553186
553187
553188
553189
553190
553191
553192
553193
553194
553195
553196
553197
553198
553199
553200
553201
553202
553203
553204
553205
553206
553207
553208
553209
553210
553211
553212
553213
553214
553215
553216
553217
553218
553219
553220
553221
553222
553223
553224
553225
553226
553227
553228
553229
5532210
5532211
5532212
5532213
5532214
5532215
5532216
5532217
5532218
5532219
5532220
5532221
5532222
5532223
5532224
5532225
5532226
5532227
5532228
5532229
55322210
55322211
55322212
55322213
55322214
55322215
55322216
55322217
55322218
55322219
55322220
55322221
55322222
55322223
55322224
55322225
55322226
55322227
55322228
55322229
553222210
553222211
553222212
553222213
553222214
553222215
553222216
553222217
553222218
553222219
553222220
553222221
553222222
553222223
553222224
553222225
553222226
553222227
553222228
553222229
5532222210
5532222211
5532222212
5532222213
5532222214
5532222215
5532222216
5532222217
5532222218
5532222219
5532222220
5532222221
5532222222
5532222223
5532222224
5532222225
5532222226
5532222227
5532222228
5532222229
55322222210
55322222211
55322222212
55322222213
55322222214
55322222215
55322222216
55322222217
55322222218
55322222219
55322222220
55322222221
55322222222
55322222223
55322222224
55322222225
55322222226
55322222227
55322222228
55322222229
553222222210
553222222211
553222222212
553222222213
553222222214
553222222215
553222222216
553222222217
553222222218
553222222219
553222222220
553222222221
553222222222
553222222223
553222222224
553222222225
553222222226
553222222227
553222222228
553222222229
5532222222210
5532222222211
5532222222212
5532222222213
5532222222214
5532222222215
5532222222216
5532222222217
5532222222218
5532222222219
5532222222220
5532222222221
5532222222222
5532222222223
5532222222224
5532222222225
5532222222226
5532222222227
5532222222228
5532222222229
55322222222210
55322222222211
55322222222212
55322222222213
55322222222214
55322222222215
55322222222216
55322222222217
55322222222218
55322222222219
55322222222220
55322222222221
55322222222222
55322222222223
55322222222224
55322222222225
55322222222226
55322222222227
55322222222228
55322222222229
553222222222210
553222222222211
553222222222212
553222222222213
553222222222214
553222222222215
553222222222216
553222222222217
553222222222218
553222222222219
553222222222220
553222222222221
553222222222222
553222222222223
553222222222224
553222222222225
553222222222226
553222222222227
553222222222228
553222222222229
5532222222222210
5532222222222211
5532222222222212
5532222222222213
5532222222222214
5532222222222215
5532222222222216
5532222222222217
5532222222222218
5532222222222219
5532222222222220
5532222222222221
5532222222222222
5532222222222223
5532222222222224
5532222222222225
5532222222222226
5532222222222227
5532222222222228
5532222222222229
55322222222222210
55322222222222211
55322222222222212
55322222222222213
55322222222222214
55322222222222215
55322222222222216
55322222222222217
55322222222222218
55322222222222219
55322222222222220
55322222222222221
55322222222222222
55322222222222223
55322222222222224
55322222222222225
55322222222222226
55322222222222227
55322222222222228
55322222222222229
553222222222222210
553222222222222211
553222222222222212
553222222222222213
553222222222222214
553222222222222215
553222222222222216
553222222222222217
553222222222222218
553222222222222219
553222222222222220
553222222222222221
553222222222222222
553222222222222223
553222222222222224
553222222222222225
553222222222222226
553222222222222227
553222222222222228
553222222222222229
5532222222222222210
5532222222222222211
5532222222222222212
5532222222222222213
5532222222222222214
5532222222222222215
5532222222222222216
5532222222222222217
5532222222222222218
5532222222222222219
5532222222222222220
5532222222222222221
5532222222222222222
5532222222222222223
5532222222222222224
5532222222222222225
5532222222222222226
5532222222222222227
5532222222222222228
5532222222222222229
55322222222222222210
55322222222222222211
55322222222222222212
55322222222222222213
55322222222222222214
55322222222222222215
55322222222222222216
55322222222222222217
55322222222222222218
55322222222222222219
55322222222222222220
55322222222222222221
55322222222222222222
55322222222222222223
55322222222222222224
55322222222222222225
55322222222222222226
55322222222222222227
55322222222222222228
55322222222222222229
553222222222222222210
553222222222222222211
553222222222222222212
553222222222222222213
553222222222222222214
553222222222222222215
553222222222222222216
553222222222222222217
553222222222222222218
553222222222222222219
553222222222222222220
553222222222222222221
553222222222222222222
553222222222222222223
553222222222222222224
553222222222222222225
553222222222222222226
553222222222222222227
553222222222222222228
553222222222222222229
5532222222222222222210
5532222222222222222211
5532222222222222222212
5532222222222222222213
5532222222222222222214
5532222222222222222215
5532222222222222222216
5532222222222222222217
5532222222222222222218
5532222222222222222219
5532222222222222222220
5532222222222222222221
5532222222222222222222
5532222222222222222223
5532222222222222222224
5532222222222222222225
5532222222222222222226
5532222222222222222227
5532222222222222222228
5532222222222222222229
55322222222222222222210
55322222222222222222211
55322222222222222222212
55322222222222222222213
55322222222222222222214
55322222222222222222215
55322222222222222222216
55322222222222222222217
55322222222222222222218
55322222222222222222219
55322222222222222222220
55322222222222222222221
55322222222222222222222
55322222222222222222223
55322222222222222222224
55322222222222222222225
55322222222222222222226
55322222222222222222227
55322222222222222222228
55322222222222222222229
553222222222222222222210
553222222222222222222211
553222222222222222222212
553222222222222222222213
553222222222222222222214
553222222222222222222215
553222222222222222222216
553222222222222222222217
553222222222222222222218
553222222222222222222219
553222222222222222222220
553222222222222222222221
553222222222222222222222
553222222222222222222223
553222222222222222222224
553222222222222222222225
553222222222222222222226
553222222222222222222227
553222222222222222222228
553222222222222222222229
5532222222222222222222210
55322222

1 The Commission temporarily suspended trading in the securities of
 2 PHOT because of *questions that have been raised about the*
 3 *accuracy and adequacy of information in the marketplace and*
 4 *potentially manipulative transactions in PHOT's common stock.*

5 [Emphasis added.]

6 35. On April 11, 2014, Creative Edge Nutrition, Inc., CEN Biotech and
 7 RXNB announced the termination of their agreement with GrowLife in light of the
 8 SEC's trading suspension. The announcement states in relevant parts:

9
 10 MADISON HEIGHTS, MI--(Marketwired - Apr 11, 2014) - Creative
 11 Edge Nutrition, Inc. (OTC Pink: FITX) (PINKSHEETS: FITX), CEN
 12 Biotech and RXNB board of directors have decided to rescind the
 13 agreement between CEN Biotech, RXNB, GrowLife and OGI.

14 The Company has learned today that the U.S. Securities and Exchange
 15 Commission has suspended trading in the securities of GrowLife due
 16 to questions that have been raised about the accuracy and adequacy of
 17 information in the marketplace and potentially manipulative
 18 transactions in GrowLife's common stock. In light of this
 19 development and other contributing factors, RXNB and CEN Biotech
 20 have advised the CEO of GrowLife and the Board of OGI that both
 21 the RXNB Agreement and the CEN Biotech Agreement, and any and
 22 all amendments to those agreements, are rescinded, void and of no
 23 further force and effect.

24 36. On that same day, analyst Rolling O Research published a report
 25 revealing inaccuracies with the Company's SEC filings, stating in relevant parts:

26 [L]et's just look at the three December 31, 2013 payments to the three
 27 newest directors, Hammer, Ciabattoni and Giarraputo. *They were*
awarded a total of 227,777 shares, which the company valued at
\$4,555 for expense purposes. Yet, at the December 31 closing price
of \$0.151, those shares should have resulted in a charge of \$34,394.
For these three directors alone, it appears that PHOT is
understating its expenses by nearly \$30 thousand.

1 Looking at the Subsequent Event "future charges" shown above, the
2 understatement would be even more astounding, due to the increase in
3 PHOT's stock price during the quarter (assuming this is not corrected
4 in the 10-Q for 1Q/14). ***On March 31, 2014, PHOT closed at
5 \$0.5795. Therefore, the 500 thousand share payments to each of the
6 four directors, while being listed by Growlife as \$40 thousand
7 expense (at \$0.02), should be recorded as a \$1.159 million charge.
8 That's a difference of \$1.1M!***

9 [Emphasis added.]

10 37. To date, trading in the Company's stock remains halted, making the
11 Company's stock illiquid and virtually worthless.

12 **LOSS CAUSATION/ECONOMIC LOSS**

13 38. During the Class Period, the Individual Defendants engaged in a
14 scheme to deceive the market and a course of conduct that artificially inflated
15 GrowLife's stock price and operated as a fraud or deceit on purchasers of
16 GrowLife stock by misrepresenting the Company's business. Once the Individual
17 Defendants' misrepresentations and fraudulent conduct were disclosed to the
18 market, GrowLife's stock price reacted negatively as the artificial inflation was
19 removed from it. As a result of their purchases of GrowLife stock during the Class
20 Period, Plaintiff and other members of the Class suffered economic loss.

21 39. The Individual Defendants' false and misleading statements had the
22 intended effect and caused GrowLife stock to trade at artificially inflated levels
23 throughout the Class Period.

40. As investors and the market became aware of GrowLife's prior misstatements and omissions and that GrowLife's actual financial condition and business prospects were, in fact, not as represented, GrowLife's stock price reacted negatively, damaging investors.

Applicability of Presumption of Reliance: Fraud-on-the-Market Doctrine

41. At all relevant times, the market for GrowLife's common stock was an efficient market for the following reasons, among others:

(a) GrowLife's stock met the requirements for listing, and was listed and actively traded on the OTCQB, a highly efficient and automated markets;

(b) During the class period, millions of shares of GrowLife's stock were traded on a weekly basis on average, demonstrating a very strong presumption of an efficient market;

(c) As a regulated issuer, GrowLife filed with the SEC periodic reports during the Class Period:

(d) GrowLife regularly communicated with public investors via established market communication mechanisms, including regular disseminations of press releases on the national circuits of major newswire services and other wide-ranging public disclosures, such as communications with the financial press and other similar reporting services;

(e) GrowLife was followed by securities analysts who wrote reports that were distributed during the Class Period. Each of these reports was publicly available and entered the public marketplace;

(f) Numerous FINRA member firms were active market-makers in GrowLife stock at all times during the Class Period; and

(g) Unexpected material news about GrowLife was rapidly reflected in and incorporated into the Company's stock price during the Class Period.

42. As a result of the foregoing, the market for GrowLife's common stock promptly digested current information regarding GrowLife from all publicly available sources and reflected such information in GrowLife's stock price. Under these circumstances, all purchasers of GrowLife's common stock during the Class Period suffered similar injury through their purchase of GrowLife's common stock at artificially inflated prices, and a presumption of reliance applies.

PLAINTIFF'S CLASS ACTION ALLEGATIONS

43. Plaintiff brings this action as a class action pursuant to Federal Rule of Civil Procedure 23(a) and (b)(3) on behalf of a Class, consisting of all persons who purchased the common stock of GrowLife during the Class Period and who were damaged thereby. Excluded from the Class are the defendants, the current and former officers and directors of the Company, members of their immediate

1 families and their legal representatives, heirs, successors or assigns and any entity
2 in which the defendants have or had a controlling interest.
3

4 44. The members of the Class are so numerous that joinder of all
5 members is impracticable. Throughout the Class Period, GrowLife's common
6 stock was actively traded on the OTCQB. While the exact number of Class
7 members is unknown to Plaintiff at this time and can only be ascertained through
8 appropriate discovery. Plaintiff believes that there are at least hundreds of
9 members in the proposed Class. Members of the Class may be identified from
10 records maintained by GrowLife or its transfer agent and may be notified of the
11 pendency of this action by mail, using a form of notice customarily used in
12 securities class actions.
13

14 45. Plaintiff's claims are typical of the claims of the members of the
15 Class, as all members of the Class are similarly affected by the defendants'
16 wrongful conduct in violation of federal law that is complained of herein.
17

18 46. Plaintiff will fairly and adequately protect the interests of the
19 members of the Class and have retained counsel competent and experienced in
20 class and securities litigation.
21

22 47. Common questions of law and fact exist as to all members of the
23 Class and predominate over any questions solely affecting individual members of
24 the Class. Among the questions of law and fact common to the Class are:
25
26
27
28

1 (a) whether the federal securities laws were violated by the defendants'
2 acts as alleged herein;

3 (b) whether the misstatements and omissions alleged herein were made
4 with scienter;

5 (c) whether statements made by the Individual Defendants to the
6 investing public during the Class Period misrepresented and/or omitted material
7 facts about the business, prospects, and operations of GrowLife; and

8 (d) to what extent the members of the Class have sustained damages and
9 the proper measure of damages.

10 48. A class action is superior to all other available methods for the fair
11 and efficient adjudication of this controversy since joinder of all members is
12 impracticable. Furthermore, as the damages suffered by individual Class members
13 may be relatively small, the expense and burden of individual litigation make it
14 impossible for members of the Class to redress individually the wrongs done to
15 them. There will be no difficulty in the management of this action as a class action.

16 **FIRST CLAIM**

17 **Violation of Section 10(b) of The Exchange Act and Rule 10b-5**
18 **Promulgated Thereunder Against All The Defendants**

19 49. Plaintiff repeats and realleges each and every allegation contained
20 above as if fully set forth herein.

21 50. This First Claim is asserted against Defendant GrowLife, and the
22 Individual Defendants.

1 51. During the Class Period, the defendants carried out a plan, scheme
2 and course of conduct which was intended to, and throughout the Class Period, did:
3
4 (1) deceive the investing public, including Plaintiff and other Class members, as
5 alleged herein; and (2) cause Plaintiff and other members of the Class to purchase
6 and/or sell GrowLife common stock at artificially inflated and distorted prices. In
7 furtherance of this unlawful scheme, plan and course of conduct, the defendants,
8 individually and as a group, took the actions set forth herein.

9
10 52. The defendants, individually and in concert, directly and indirectly, by
11 the use, means or instrumentalities of interstate commerce and/or of the mails,
12 engaged and participated in a continuous course of conduct to conceal adverse
13 material information about the business, operations and future prospects of
14 GrowLife as specified herein.

15
16 53. The defendants employed devices, schemes and artifices to defraud,
17 while in possession of material, adverse non-public information and engaged in
18 acts, practices, and a course of conduct as alleged herein in an effort to assure
19 investors of GrowLife's value and performance and continued substantial growth,
20 which included the making of, or the participation in the making of, untrue
21 statements of material facts and omitting to state material facts necessary in order
22 to make the statements made about GrowLife and its business operations and
23 future prospects in light of the circumstances under which they were made, not
24 misleading, as set forth more particularly herein, and engaged in transactions,
25
26
27
28

1 practices and a course of business that operated as a fraud and deceit upon the
2 purchasers of GrowLife's common stock during the Class Period.
3

4 54. Each of the defendants' primary liability, and controlling person
5 liability, arises from the following facts: (1) the defendants were high-level
6 executives, directors, and/or agents at the Company during the Class Period and
7 members of the Company's management team or had control thereof; (2) each of
8 the defendants, by virtue of his responsibilities and activities as a senior officer
9 and/or director of the Company, was privy to and participated in the creation,
10 development and reporting of the Company's financial condition; (3) each of the
11 defendants enjoyed significant personal contact and familiarity with the other
12 defendants and was advised of and had access to other members of the Company's
13 management team, internal reports, and other data and information about the
14 Company's finances, operations, and sales at all relevant times; (4) each of the
15 defendants was aware of the Company's dissemination of information to the
16 investing public that they knew or recklessly disregarded was materially false and
17 misleading; and (5) each of the defendants culpably participated in the wrongful
18 conduct alleged herein.
19

20 55. The defendants had actual knowledge of the misrepresentations and
21 omissions of material facts set forth herein, or acted with reckless disregard for the
22 truth in that they failed to ascertain and to disclose such facts, even though such
23 facts were available to them. Such defendants' material misrepresentations and/or
24

omissions were done knowingly or recklessly and for the purpose and effect of concealing GrowLife's financial condition and future business prospects from the investing public and supporting the artificially inflated or distorted price of its common stock. As demonstrated by the defendants' overstatements and misstatements of the Company's financial condition and business prospects throughout the Class Period, the defendants, if they did not have actual knowledge of the misrepresentations and omissions alleged, were reckless in failing to obtain such knowledge by deliberately refraining from taking those steps necessary to discover whether those statements were false or misleading.

56. As a result of the dissemination of the materially false and misleading information and failure to disclose material facts, as set forth above, the market price for GrowLife's common stock was artificially inflated during the Class Period. In ignorance of the fact that market prices of GrowLife's publicly-traded common stock were artificially inflated or distorted, and relying directly or indirectly on the false and misleading statements made by the defendants, or upon the integrity of the market in which the Company's common stock trade, and/or on the absence of material adverse information that was known to or recklessly disregarded by the defendants but not disclosed in public statements by the defendants during the Class Period, Plaintiff and the other members of the Class acquired and/or sold GrowLife common stock during the Class Period at artificially high prices and were damaged thereby.

57. At the time of said misrepresentations and omissions, Plaintiff and other members of the Class were ignorant of their falsity, and believed them to be true. Had Plaintiff and the other members of the Class and the marketplace known the truth regarding GrowLife's financial results, which were not disclosed by the defendants, Plaintiff and other members of the Class would not have purchased or otherwise acquired GrowLife common stock, or, if they had acquired such common stock during the Class Period, they would not have done so at the artificially inflated prices or distorted prices at which they did.

58. By virtue of the foregoing, the defendants have violated Section 10(b) of the Exchange Act, and Rule 10b-5 promulgated thereunder.

59. As a direct and proximate result of the defendants' wrongful conduct, Plaintiff and the other members of the Class suffered damages in connection with their respective purchases and sales of the Company's common stock during the Class Period.

60. This action was filed within two years of discovery of the fraud and within five years of Plaintiff's purchases of securities giving rise to the cause of action.

SECOND CLAIM

Violation Of Section 20(a) of The Exchange Act Against the Individual Defendants

61. Plaintiff repeats and realleges each and every allegation contained above as if fully set forth herein.

1 62. This Second Claim is asserted against each of the Individual
2 Defendants.
3

4 63. The Individual Defendants acted as controlling persons of GrowLife
5 within the meaning of Section 20(a) of the Exchange Act as alleged herein. By
6 virtue of their high-level positions, agency, and their ownership and contractual
7 rights, participation in and/or awareness of the Company's operations and/or
8 intimate knowledge of aspects of the Company's revenues and earnings and
9 dissemination of information to the investing public, the Individual Defendants had
10 the power to influence and control, and did influence and control, directly or
11 indirectly, the decision-making of the Company, including the content and
12 dissemination of the various statements that Plaintiff contends are false and
13 misleading. The Individual Defendants were provided with or had unlimited access
14 to copies of the Company's reports, press releases, public filings and other
15 statements alleged by Plaintiff to be misleading prior to and/or shortly after these
16 statements were issued, and had the ability to prevent the issuance of the
17 statements or to cause the statements to be corrected.
18

19 64. In particular, each of these defendants had direct and supervisory
20 involvement in the day-to-day operations of the Company and, therefore, is
21 presumed to have had the power to control or influence the particular transactions
22 giving rise to the securities violations as alleged herein, and exercised the same.
23
24
25
26
27
28

1 65. As set forth above, GrowLife violated Section 10(b) and Rule 10b-5.
2
3 By virtue of their positions as controlling persons, the Individual Defendants are
4 liable pursuant to Section 20(a) of the Exchange Act as they culpably participated
5 in the fraud alleged herein. As a direct and proximate result of the defendants'
6 wrongful conduct, Plaintiff and other members of the Class suffered damages in
7 connection with their purchases of the Company's common stock during the Class
8 Period.

9
10 66. This action was filed within two years of discovery of the fraud and
11 within five years of each plaintiff's purchases of securities giving rise to the cause
12 of action.

13
14 **WHEREFORE**, Plaintiff prays for relief and judgment, as follows:

15
16 (a) Determining that this action is a proper class action, designating
17 Plaintiff as class representative under Rule 23 of the Federal Rules of Civil
18 Procedure and Plaintiff's counsel as Class Counsel;

19
20 (b) Awarding compensatory damages in favor of Plaintiff and the
21 other Class members against all the defendants, jointly and severally, for all
22 damages sustained as a result of the defendants' wrongdoing, in an amount to be
23 proven at trial, including interest thereon;

24
25 (c) Awarding Plaintiff and the Class their reasonable costs and
26 expenses incurred in this action, including counsel fees and expert fees; and

(d) Such other and further relief as the Court may deem just and

proper.

JURY TRIAL DEMANDED

Plaintiff hereby demands a trial by jury.

Dated: April 18, 2014

Respectfully submitted,

THE ROSEN LAW FIRM, P.A.

LamRosen

Laurence M. Rosen, Esq. (SBN 219683)
THE ROSEN LAW FIRM, P.A.
355 South Grand Avenue, Suite 2450
Los Angeles, CA 90071
Telephone: (213) 785-2610
Facsimile: (213) 226-4684
Email: lrosen@rosenlegal.com

Counsel for Plaintiff

COPY

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

I. (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) RANDY ROMERO, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED,		DEFENDANTS (Check box if you are representing yourself <input type="checkbox"/>) SEE ATTACHED																																																																																																																									
(b) County of Residence of First Listed Plaintiff <u>ADAMS</u> (EXCEPT IN U.S. PLAINTIFF CASES)		County of Residence of First Listed Defendant <u>LOS ANGELES</u> (IN U.S. PLAINTIFF CASES ONLY)																																																																																																																									
(c) Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information. The Rosen Law Firm, P.A. 355 S. Grand Avenue, Suite 2450 Los Angeles, CA 90071 Tel: (213) 785-2610		Attorneys (Firm Name, Address and Telephone Number), If you are representing yourself, provide the same information.																																																																																																																									
II. BASIS OF JURISDICTION (Place an X in one box only.)		III. CITIZENSHIP OF PRINCIPAL PARTIES -For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant)																																																																																																																									
<input type="checkbox"/> 1. U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3. Federal Question (U.S. Government Not a Party)	Citizen of This State <input type="checkbox"/> 1 <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State <input type="checkbox"/> 4 <input type="checkbox"/> 4																																																																																																																								
<input type="checkbox"/> 2. U.S. Government Defendant	<input type="checkbox"/> 4. Diversity (Indicate Citizenship of Parties in Item III)	Citizen of Another State <input type="checkbox"/> 2 <input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State <input type="checkbox"/> 5 <input type="checkbox"/> 5																																																																																																																								
		Citizen or Subject of a Foreign Country <input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation <input type="checkbox"/> 6 <input type="checkbox"/> 6																																																																																																																								
IV. ORIGIN (Place an X in one box only.)		6. Multi-District Litigation <input type="checkbox"/>																																																																																																																									
<input checked="" type="checkbox"/> 1. Original Proceeding	<input type="checkbox"/> 2. Removed from State Court	<input type="checkbox"/> 3. Remanded from Appellate Court	<input type="checkbox"/> 4. Reinstated or Reopened <input type="checkbox"/> 5. Transferred from Another District (Specify)																																																																																																																								
V. REQUESTED IN COMPLAINT: JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		(Check "Yes" only if demanded in complaint.)																																																																																																																									
CLASS ACTION under F.R.Cv.P. 23: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> MONEY DEMANDED IN COMPLAINT: \$																																																																																																																									
VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.) Securities Class Action pursuant to 15 U.S.C. § 78j(b) and 78t(a), Rule 10b-5, and 17 C.F.R. § 240.10b-5																																																																																																																											
VII. NATURE OF SUIT (Place an X in one box only).																																																																																																																											
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>OTHER STATUTES</th> <th>CONTRACT</th> <th>REAL PROPERTY CONT</th> <th>MMIGRATION</th> <th>PRISONER PETITIONS</th> <th>PROPERTY RIGHTS</th> </tr> <tr> <td><input type="checkbox"/> 375 False Claims Act</td> <td><input type="checkbox"/> 110 Insurance</td> <td><input type="checkbox"/> 240 Torts to Land</td> <td><input type="checkbox"/> 462 Naturalization Application</td> <td>Habeas Corpus:</td> <td><input type="checkbox"/> 820 Copyrights</td> </tr> <tr> <td><input type="checkbox"/> 400 State Reapportionment</td> <td><input type="checkbox"/> 120 Marine</td> <td><input type="checkbox"/> 245 Tort Product Liability</td> <td><input type="checkbox"/> 465 Other Immigration Actions</td> <td><input type="checkbox"/> 463 Alien Detainee</td> <td><input type="checkbox"/> 830 Patent</td> </tr> <tr> <td><input type="checkbox"/> 410 Antitrust</td> <td><input type="checkbox"/> 130 Miller Act</td> <td><input type="checkbox"/> 290 All Other Real Property</td> <td></td> <td><input type="checkbox"/> 510 Motions to Vacate Sentence</td> <td><input type="checkbox"/> 840 Trademark</td> </tr> <tr> <td><input type="checkbox"/> 430 Banks and Banking</td> <td><input type="checkbox"/> 140 Negotiable Instrument</td> <td></td> <td></td> <td><input type="checkbox"/> 530 General</td> <td>SOCIAL SECURITY</td> </tr> <tr> <td><input type="checkbox"/> 450 Commerce/ICC Rates/Etc.</td> <td><input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment</td> <td></td> <td></td> <td><input type="checkbox"/> 535 Death Penalty</td> <td><input type="checkbox"/> 861 HIA (1395f)</td> </tr> <tr> <td><input type="checkbox"/> 460 Deportation</td> <td><input type="checkbox"/> 151 Medicare Act</td> <td></td> <td></td> <td></td> <td><input type="checkbox"/> 862 Black Lung (923)</td> </tr> <tr> <td><input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.</td> <td><input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)</td> <td></td> <td></td> <td></td> <td><input type="checkbox"/> 863 DIWC/DIWW (405 (g))</td> </tr> <tr> <td><input type="checkbox"/> 480 Consumer Credit</td> <td><input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits</td> <td></td> <td></td> <td></td> <td><input type="checkbox"/> 864 SSID Title XVI</td> </tr> <tr> <td><input type="checkbox"/> 490 Cable/Sat TV</td> <td><input type="checkbox"/> 160 Stockholders' Suits</td> <td></td> <td></td> <td></td> <td><input type="checkbox"/> 865 RSI (405 (g))</td> </tr> <tr> <td><input type="checkbox"/> 850 Securities/Commodities/Exchange</td> <td><input type="checkbox"/> 190 Other Contract</td> <td></td> <td></td> <td></td> <td>FEDERAL TAX SUITS</td> </tr> <tr> <td><input checked="" type="checkbox"/> 890 Other Statutory Actions</td> <td><input type="checkbox"/> 195 Contract Product Liability</td> <td></td> <td></td> <td></td> <td><input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)</td> </tr> <tr> <td><input type="checkbox"/> 891 Agricultural Acts</td> <td><input type="checkbox"/> 196 Franchise</td> <td></td> <td></td> <td></td> <td><input type="checkbox"/> 871 IRS-Third Party 26 USC 7609</td> </tr> <tr> <td><input type="checkbox"/> 893 Environmental Matters</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> 895 Freedom of Info. Act</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> 896 Arbitration</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> 899 Admin. Procedures</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Act/Review of Appeal of Agency Decision</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> 950 Constitutionality of State Statutes</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="6" style="text-align: center;">04/14/2015</td> </tr> </table>				OTHER STATUTES	CONTRACT	REAL PROPERTY CONT	MMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS	<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	Habeas Corpus:	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property		<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument			<input type="checkbox"/> 530 General	SOCIAL SECURITY	<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment			<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 861 HIA (1395f)	<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 151 Medicare Act				<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)				<input type="checkbox"/> 863 DIWC/DIWW (405 (g))	<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits				<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 160 Stockholders' Suits				<input type="checkbox"/> 865 RSI (405 (g))	<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract				FEDERAL TAX SUITS	<input checked="" type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 195 Contract Product Liability				<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 196 Franchise				<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609	<input type="checkbox"/> 893 Environmental Matters						<input type="checkbox"/> 895 Freedom of Info. Act						<input type="checkbox"/> 896 Arbitration						<input type="checkbox"/> 899 Admin. Procedures						<input type="checkbox"/> Act/Review of Appeal of Agency Decision						<input type="checkbox"/> 950 Constitutionality of State Statutes						04/14/2015					
OTHER STATUTES	CONTRACT	REAL PROPERTY CONT	MMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS																																																																																																																						
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	Habeas Corpus:	<input type="checkbox"/> 820 Copyrights																																																																																																																						
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 830 Patent																																																																																																																						
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property		<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Trademark																																																																																																																						
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument			<input type="checkbox"/> 530 General	SOCIAL SECURITY																																																																																																																						
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment			<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 861 HIA (1395f)																																																																																																																						
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 151 Medicare Act				<input type="checkbox"/> 862 Black Lung (923)																																																																																																																						
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)				<input type="checkbox"/> 863 DIWC/DIWW (405 (g))																																																																																																																						
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits				<input type="checkbox"/> 864 SSID Title XVI																																																																																																																						
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 160 Stockholders' Suits				<input type="checkbox"/> 865 RSI (405 (g))																																																																																																																						
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract				FEDERAL TAX SUITS																																																																																																																						
<input checked="" type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 195 Contract Product Liability				<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)																																																																																																																						
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 196 Franchise				<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609																																																																																																																						
<input type="checkbox"/> 893 Environmental Matters																																																																																																																											
<input type="checkbox"/> 895 Freedom of Info. Act																																																																																																																											
<input type="checkbox"/> 896 Arbitration																																																																																																																											
<input type="checkbox"/> 899 Admin. Procedures																																																																																																																											
<input type="checkbox"/> Act/Review of Appeal of Agency Decision																																																																																																																											
<input type="checkbox"/> 950 Constitutionality of State Statutes																																																																																																																											
04/14/2015																																																																																																																											

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

VIII. VENUE: Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

Question A: Was this case removed from state court?		This case was pending in the County of _____.		INITIAL DIVISION IN CACD IS
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Los Angeles <input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo <input type="checkbox"/> Orange <input type="checkbox"/> Riverside or San Bernardino		Western Western Southern Eastern
If "no," go to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.				

Question B: Is the United States, or one of its agencies or employees, a party to this action?		If "no," go to Question C. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.		INITIAL DIVISION IN CACD IS	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT		Then check the box below for the county in which the majority of PLAINTIFFS reside.	
		<input type="checkbox"/> Los Angeles <input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo <input type="checkbox"/> Orange <input type="checkbox"/> Riverside or San Bernardino <input type="checkbox"/> Other		<input type="checkbox"/> Los Angeles <input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo <input type="checkbox"/> Orange <input type="checkbox"/> Riverside or San Bernardino <input type="checkbox"/> Other	Western Western Southern Eastern Western

Question C: Location of plaintiffs, defendants, and claims (make only one selection per row)		Los Angeles County	Ventura, Santa Barbara, or San Luis Obispo Counties	Orange County	Riverside, San Bernardino, or Other Counties	Outside the Central District of California	Other
Indicate the location in which a majority of plaintiffs reside:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Indicate the location in which a majority of defendants reside:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of claims arose:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

C.1. Is either of the following true? If so, check the one that applies:		C.2. Is either of the following true? If so, check the one that applies:	
<input type="checkbox"/> 2 or more answers in Column C <input type="checkbox"/> only 1 answer in Column C and no answers in Column D		<input type="checkbox"/> 2 or more answers in Column D <input type="checkbox"/> only 1 answer in Column D and no answers in Column C	
Your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question D, below. If none applies, answer question C2 to the right. →		Your case will initially be assigned to the EASTERN DIVISION. Enter "Eastern" in response to Question D, below. If none applies, go to the box below. ↓	
Your case will initially be assigned to the WESTERN DIVISION. Enter "Western" in response to Question D below.			

Question D: Initial Division?		INITIAL DIVISION IN CACD
Enter the initial division determined by Question A, B, or C above: →		WESTERN

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

IX(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? NO YES

If yes, list case number(s): _____

IX(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? NO YES

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

(Check all boxes that apply)

- A. Arise from the same or closely related transactions, happenings, or events; or
- B. Call for determination of the same or substantially related or similar questions of law and fact; or
- C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**X. SIGNATURE OF ATTORNEY
(OR SELF-REPRESENTED LITIGANT):**

DATE: 4/17/14

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate Instructions sheet).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))

ORIGINAL

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT
for the
Central District of California

RANDY ROMERO, INDIVIDUALLY
AND ON BEHALF OF ALL OTHERS
SIMILARLY SITUATED,

Plaintiff(s)

v.

SEE ATTACHED

Defendant(s)

Civil Action No.

CV14-03015-MRP(GEMx)

SUMMONS IN A CIVIL ACTION

To: (*Defendant's name and address*)

A lawsuit has been filed against you.

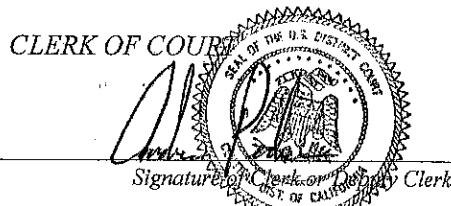
Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

The Rosen Law Firm, P.A.
355 S. Grand Avenue, Suite 2450
Los Angeles, CA 90071
Tel: (213) 785-2610
Fax: (213) 226-4684

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 4/18/2014

CLERK OF COURT



Signature of Clerk or Deputy Clerk

1202

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES

This case has been assigned to District Judge Mariana R. Pfaelzer and to
Magistrate Judge John E. McDermott.

The case number on all documents filed with the Court should read as follows:

2:14-cv-03015-MRP(JEMx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the assigned Magistrate Judge has been designated to hear discovery-related motions. The United States District Judge assigned to this case will review all filed discovery motions and thereafter, on a case-by-case or motion-by-motion basis, may refer discovery-related motions to the Magistrate Judge for hearing and determination.

Clerk, U. S. District Court

April 18, 2014

Date

By APEDRO
Deputy Clerk

ATTENTION

A copy of this Notice must be served on all parties served with the Summons and Complaint (or, in cases removed from state court, on all parties served with the Notice of Removal) by the party who filed the Complaint (or Notice of Removal).

GROWLIFE, INC., STERLING C.
SCOTT, JOHN GENESI, MARCO
HEGYI, ROB HUNT, ERIC SHEVIN,
ALAN HAMMER, ANTHONY
CIABATTONI, AND JEFF
GIARRAPUTO,

Defendants.